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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,786	02/09/2006	Mikio Ito	DK-US030528	3050
22919 7590 08/15/2008 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680				
EXAMINER				
ALI, MOHAMMAD M				
ART UNIT		PAPER NUMBER		
3744				
MAIL DATE		DELIVERY MODE		
08/15/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/567,786

Applicant(s)

ITO ET AL.

Examiner

MOHAMMAD M. ALI

Art Unit

3744

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, and 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Double Patenting

Claim 9 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 7. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 and 4 are rejected under 35 U.S.C. 102 (a) as being anticipated by Moon et al., (6,729,153). Moon et al., disclose an indoor unit of an air conditioner comprising a main body 10 (see Fig. 2-4); an opaque front panel (The opposite back portion of panel 60, as the panel 60 has been specifically mention as transparent it is inherent that opposite portion of panel is opaque and there is other reason be transparent too. On the other hand if both the portion of panel 60 becomes transparent its ultimate use of seeing a pictured disposed in the slot 61 will be questionable) integrally molded with a mounting portion (the two leg portions on which the panel 60 is mounted. (the mounting portions are considered integral with the panel 60 and other side of the main body 10 as there is no other means to fix the mounting legs with the panel 60 and the main body 10) that is configured to be attached to a front portion of the main body 10.

Art Unit: 3744

(See Fig.3-4); a transparent panel 60 attached to the front panel of an indoor air conditioning unit for the purpose of inserting picture through a picture or photo insertion slot 61 behind the transparent panel 60. See Fig 4, column 3, line 39 to column 4, line 64. (The color scheme is an equivalent to a photo or picture scheme to be displayed). Regarding peripheral portion of claim 2, the Examiner considers that panel 60 is on the substantial peripheral to the inner front panel.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4, 6-8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al., in view of Lee et al., (US 6,725,684 B2). The Moon et al. disclose the invention substantially as claimed as stated above except design layer is fixedly attached to the reverse side surface of the transparent design panel. Lee et al. teach that an auxiliary plate 52 as the double-structured member may include a first layer 52a and a

Art Unit: 3744

second layer 52b located at a rear side of the first layer 52a. The first layer 52a is made of tempered glass or transparent plastics so as to transmit light. And, the second layer 52b reflects the lights transmitted by the first layer 52a and is made of a metal film or dielectric multi-layers. The metal film is an Ag or Al layer coated on a grinded rear face of the first layer 52a, and the dielectric multi-layers are deposited on the rear face of the first layer 52a. In such an auxiliary plate 52, light incident on the front face of the indoor unit permeates the first layer 52a so as to be reflected on the second layer 52b, whereby the intake panel 50 works as a mirror. Moreover, the second layer 52 can be colored by a predetermined color, and such a color appears through the transparent first layer 52a. Meanwhile, the auxiliary plate 52 as the single-structured member can include various forms of patterns and colors. Specifically, the pattern and color of wood grain gives elegance to the indoor unit. Hence, the exterior of the air conditioner can be improved better by the auxiliary plate 52. See Fig. 3b, column 7, lines 26-54. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the indoor unit of moon et al., in view of Lee et al. such that a design layer is fixedly attached to the

reverse side surface of the transparent design panel for in order to clear viewing the design panel.

Response to Arguments

Applicant's arguments with respect to claims 1, 4 and 6-9 have been considered but are moot in view of the new ground(s) of rejection as explained above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD M. ALI whose telephone number is (571)272-4806. The examiner can normally be reached on maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4808. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad M Ali/
Primary Examiner, Art Unit 3744